

12/15/00



Please type a plus sign (+) inside this box

 PTO/SB/05 (12/97) (modified)
 App. for use through 09/30/00. OMB 0651-0032
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

A

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 030589.0008.UTL2

Total Pages 49

First Named Inventor or Application Identifier

David R. Kaplan

Express Mail Label No. EL675944742US

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL675944742US

Date of Deposit: December 15, 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

 Nancy Overly-Walker

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

 ADDRESS TO: Commissioner for Patents
 Box Patent Application
 Washington, DC 20231

 1. ☐ Fee Transmittal Form
 (Submit an original, and a duplicate for fee processing)

 2. ☒ Specification (Total Pages 39)

(preferred arrangement set forth below)

- Descriptive title of the Invention

- Cross References to Related Applications

- Statement Regarding Fed sponsored R & D

- Reference to Microfiche Appendix

- Background of the Invention

- Brief Summary of the Invention

- Brief Description of the Drawings (if filed)

- Detailed Description

- Claim(s)

- Abstract of the Disclosure

 3. ☒ Drawing(s) (35 USC 113) (Total Sheets 7)

 4. ☐ Oath or Declaration (Total Pages)

 a. ☐ Newly executed (original or copy)

 b. ☐ Copy from a prior application (37 CFR 1.63(d))
 (for continuation/divisional with Box 17 completed)

[Note Box 5 below]

 i. ☐ DELETION OF INVENTOR(S)

 Signed statement attached deleting inventor(s) named in
 the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)

 5. ☐ Incorporation By Reference (useable if Box 4b is checked)
 The entire disclosure of the prior application, from which a copy of the
 oath or declaration is supplied under Box 4b, is considered as being
 part of the disclosure of the accompanying application and is hereby
 incorporated by reference therein.

 6. ☐ Microfiche Computer Program (Appendix)

 7. ☐ Nucleotide and/or Amino Acid Sequence Submission
 (if applicable, all necessary)

 a. ☐ Computer Readable Copy

 b. ☐ Paper Copy (identical to computer copy)

 c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

 8. ☐ Assignment Papers (cover sheet & document(s))

 9. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
 (when there is an assignee)

 10. ☐ English Translation Document (if
 applicable)

 Information Disclosure
 Statement (IDS)/PTO-1449 ☐ Copies of IDS
 and Form 892 Citations

 11. ☐ Per Rule 97(d) copies of those
 documents are not provided.

 12. ☐ Preliminary Amendment

 13. ☒ Return Receipt Postcard (MPEP 503)
 (Should be specifically itemized)

 14. ☐ Small Entity ☐ Statement filed in prior application,
 Statement(s) Status still proper and desired

 15. ☐ Certified Copy of Priority
 Document(s) (if foreign priority is
 claimed)

 16. * ☐ Other

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No:

18. CORRESPONDENCE ADDRESS

 Michael A. Whittaker
 Registration No. 46,230

 Brobeck, Phleger & Harrison LLP
 12390 El Camino Real
 San Diego, CA 92130
 Telephone: (858) 720-2500
 Facsimile: (858) 720-2555

- ☒ If a paper is untimely filed in the above-referenced application by applicant or his/her representative, the Commissioner is hereby petitioned under 37 C.F.R. § 1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 C.F.R. § 1.17(a)-(d) to **Deposit Account No. 50-1273**. However, the Commissioner is **NOT** authorized to charge the cost of the issue fee to the Deposit Account.

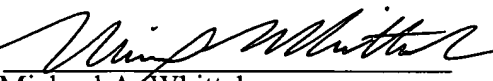
The filing fee has been calculated as follows:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	92 - 20 =	72	x \$18.00	\$1,296.00
INDEPENDENT CLAIMS	8 - 3 =	5	x \$80.00	\$400.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$270.00
			BASIC FEE	\$710.00
TOTAL OF ABOVE CALCULATIONS =				\$2,676.00
Reduction by 1/2 for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27, 1.28). If applicable, verified statement must be attached.				\$1338.00
Assignment Recording Fee (if enclosed)				\$0
			TOTAL =	\$1,338.00

- ☐ No filing fee is being paid at this time. Please apply any other required non-filing fees to Deposit Account No. **50-1273**.
- ☒ A check in the amount of **\$1,338.00** is attached.
- ☐ Charge \$ _____ to **Deposit Account No.** _____ referencing docket no. _____.
- ☒ Applicant(s) hereby petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees or to credit any overpayment to **Deposit Account No. 50-1273** referencing docket no. **030589.0008.UTL2**. A duplicate copy of this transmittal is enclosed, for that purpose.

Dated: December 15, 2000

Respectfully submitted,

By: 
Michael A. Whittaker
Registration No. 46,230

Brobeck, Phleger & Harrison LLP
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 720-2500
Facsimile: (858) 720-2555